

Notice of Allowability

Application No.

10/727,578

Applicant(s)

PEDNAULT, EDWIN PETER
DAWSON

Examiner

Adrian L. Kennedy

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Final 5/21/07.
2. ☒ The allowed claim(s) is/are 1, 4-18, 20, 22 and 26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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Examiner's Detailed Office Action

1. This Office Action is response to **Amendment After Non-Final Rejection** filed May 21, 2007.
2. **Claims 1-26** were originally presented.
3. **Claims 8, 9, 14, 15 and 26** are original claims.
4. **Claims 4-7, 11, 13, 16, 17, and 22** were previously presented.
5. **Claims 2, 3, 19, 21 and 23-25** were canceled.
6. **Claims 1, 10, 12, 18 and 20** were amended.
7. **Claims 1, 4-18, 20, 22 and 26** will be examined.

Allowable Subject Matter

Claims 1, 4-18, 20, 22 and 26 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claims 1, 10, 18, 20 and 22:

After a thorough review of the applicant's arguments, claimed invention and the teachings of the prior art, the examiner has found that no prior art of record either alone or in combination teach the outputting of a model output from a boosting stage being based on one of a preceding boosting stages and the successively receiving of model output from a preceding boosting stage.

Additionally, in regards to the examiner previous rejection under 35 U.S.C. 101, the examiner has found that the removal of non-statutory subject matter from the applicant's disclosure resolved issues regarding the applicant's claimed invention including matter

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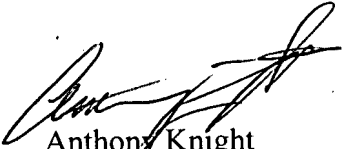
which is not patent-eligible. Furthermore, the examiner takes the position that the recitation of a "machine readable medium" is supported by the applicant's disclosure which teaches the use of machine readable media, in the fourth paragraph on page 56. This position is supported by the fact that "medium" is the singular version of "media".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrian L. Kennedy whose telephone number is (571) 270-1505. The examiner can normally be reached on Mon -Fri 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALK


Anthony Knight
Supervisory Patent Examiner
Technology Center 2100